

REMARKS

The Examiner objected to the specification. In response, Applicant has amended the specification as suggested by the Examiner.

The Examiner objected to claims 14 and 18 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant greatly acknowledges the Examiner's indication of allowable subject matter. In response, Applicant has amended claims 14 and 18 to include all of the limitations of the base claims and the intervening claims and therefore Applicant respectfully believes that claims 14 and 18 are in condition for allowance. Since claims 2, 3, 5-12, and 15-17 depend from claim 14 and claims 41-53 depend from claim 18, Applicant contends that claims 2, 3, 5-12, 15-17, and 41-53 are likewise in condition for allowance.

The Examiner rejected claims 19-27 and 29 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. In response, Applicant contends that the rejection under 35 U.S.C. § 101 of claims 19-27 and 29 is moot since claims 19-27 and 29 have been canceled.

The Examiner rejected claims 4-6 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. In response, Applicant contends that the rejection under 35 U.S.C. § 112 of claims 4-6 is moot since claim 4 has been canceled. Additionally, claims 5 and 6 have been amended to remove the limitation (i.e., resilient structure removably attached to an exterior portion of the swimming pool) rejected by the Examiner.

The Examiner rejected claims 1-4, 7-13, and 15-17 under 35 U.S.C. § 102(b) as allegedly

being anticipated by Mears *et al.* (US 6,223,673 B1).

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CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 19-0513.

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